

Message Text

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PAGE 01 BERLIN 00556 291523 Z

47

ACTION EUR-25

INFO OCT-01 IO-12 ADP-00 CIAE-00 DODE-00 PM-09 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-14 USIA-12

NIC-01 ACDA-19 TRSE-00 GAC-01 MBFR-03 SAJ-01 EURE-00

INRE-00 RSR-01 /127 W

----- 054350

P R 291440 Z MAR 73

FM USMISSION BERLIN

TO AMEMBASSY BONN PRIORITY

SECSTATE WASHDC PRIORITY 1598

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO BRUSSELS

USMISSION USUN NEW YORK

C O N F I D E N T I A L BERLIN 556

E. O. 11652: GDS

TAGS: PGOV, PFOR, WB, GE, GW, UR, UN

SUBJ: BKC/ L ON EXTENSION OF UN CHARTER TO WEST BERLIN

REF: A. BONN 4473; B. BONN 4340; C. BONN 4345; D. BONN 2006

1. WE STRONGLY CONCUR WITH THE EMBASSY' S VIEW THAT WE HAVE LITTLE TO GAIN BY DELAYING ACTION AT THIS POINT ON ISSUANCE OF BKC/ L PROVIDING FOR EXTENSION OF UN CHARTER TO WEST BERLIN AND FOR REPRESENTATION OF WEST BERLIN' S INTERESTS IN UN BY FRG ON OTHER THAN SECURITY AND STATUS MATTERS (REF A). THE THREE TEXTS -- BERLIN CLAUSE IN FRG LEGISLATION, DRAFT BKC/ L, AND SCHEEL LETTER TO UN SYG -- WERE PAINSTAKINGLY CONSIDERED LAST DECEMBER. IF WE GO BACK TO SQUARE ONE WITH THEM NOW, WE RISK LOSING ORIGINAL AGREEMENT AND COULD FIND OURSELVES IN AN EMBARRASSING SITUATION WHERE PUBLIC ATTENTION IS FOCUSED ON UN QUESTION AND ALLIES APPEAR TO BE IN DISARRAY ON WHETHER AND HOW WEST BERLIN' S INTERESTS ARE TO BE REPRESENTED. EARLY ISSUANCE OF BKC/ L, OF COURSE, WOULD STILL PERMIT ALLIES TO CONSIDER HOW SCENARIO MIGHT BE FURTHER TIGHTENED

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PAGE 02 BERLIN 00556 291523 Z

BY COORDINATING STATEMENTS TO BE MADE BY THREE POWERS DURING
COURSE
OF SECURITY COUNCIL DEBATE ON FRG- GDR MEMBERSHIP APPLICATION AS
SUGGESTED BY UK, PARA 5, REF A.

2. IN LIGHT OF INDICATIONS RECEIVED BY GRABERT IN HIS RECENT TALK
WITH KOHL THAT GDR IS STILL NERVOUS THAT ENTIRE UN ENTRY QUESTION
BETWEEN FRG AND GDR IS NOT NAILED DOWN (REF B), WE WOULD THINK
THAT EARLY ISSUANCE BY ALLIES OF BKC/ L AUTHORIZAING FRG TO RE-
PRESENT WESTERN SECTORS IN UN WOULD GO SOME WAY TO REASSURING
GDR THAT FRG AND ALLIES ARE NOT HOLDING TRICKS UP THEIR SLEEVE
ON UN MEMBERSHIP. THIS IS PRIMARILY AN FRG CONSIDERATION, OF
COURSE. WHAT IS OF SPECIAL CONCERN TO OUR POSITION HERE IN
BERLIN, HOWEVER, IS THAT WE DO NOT DELAY ON THIS MATTER IN ORDER
TO CONSULT WITH SOVIETS ON WHAT WE WOULD SAY IN BKC/ L. WERE WE
TO INITIATE SUCH CONSULTATIONS WE COULD EXPECT SOVIET QUIBBLES
THAT MIGHT WELL ENDANGER ALLIED AGREEMENT ON OTHER ASPECTS OF
UN SCENARIO. FURTHERMORE, WE WOULD FOR FIRST TIME CONCEDE TO
SOVIETS OPERATIONAL ROLE IN WESTERN SECTORS. ONCE PRECEDENT WAS
ESTABLISHED THAT ALLIES CONSULT WITH SOVIETS ON DETAILS OF IN-
TERNAL MANAGEMENT OF WESTERN SECTORS, WE COULD EXPECT SOVIETS TO
PRESS FOR SIMILAR CONSULTATION ON ANY OTHER POTENTIALLY CONTROVER-
SIAL MATTER IN WHICH ALLIES PLAN TO ISSUE INSTRUCTIONS TO SENAT.
THIS WOULD GO LONG WAY TO ENTRENCHING SOVIET CONCEPT THAT FOUR
POWER RIGHTS AND RESPONSIBILITIES ARE APPLICABLE TO WEST BERLIN.

3. IT WILL BE RECALLED THAT ALLIED NOTE IN RESPONSE TO SOVIET NOTE
OF DECEMBER 21 ON EXTENSION OF INTERNATIONAL AGREEMENTS TO BERLIN
TOOK COGNIZANCE OF BERLIN CLAUSE IN FRG LEGISLATION ON UN AND OB-
SERVED: " THESE LEGISLATIVE PROVISIONS OF THE FRG ARE NOT, MORE-
OVER, A SUBSTITUTE FOR THE STEPS WHICH THE THREE POWERS WILL IN
DUE COURSE THEMSELVES TAKE IN EXERCISE OF THEIR RIGHTS AND RES-
PONSIBILITIES, IN CONFORMITY WITH THE ESTABLISHED PROCEDURES AND
THEREFORE WITH THE QUADRIPARTITE AGREEMENT, WHICH ENSURE THAT MAT-
TERS OF SECURITY AND STATUS ARE NOT AFFECTED" (REF C). IN OUR
VIEW THIS GAVE SOVIETS SUFFICIENT ADVANCE NOTICE THAT WE WOULD
DEAL WITH THIS MATTER. PRECISELY HOW WE CHOOSE TO DO SO, HOWEVER,
REMAINS TRIPARTITE CONCERN. KLEIN

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*** Current Classification *** CONFIDENTIAL

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EUR
LONDON
MOSCOW
NATO BRUSSELS
PARIS
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USUN NEW YORK

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